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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
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11 REGINALD EDWARD SPEARMAN,

12 Plaintiff,

13 v.

14 SAM BERRI TOWING, et al.,

15 Defendants.  
16

No. 2:21-CV-1214-WBS-DMC-P

ORDER

17 Plaintiff, a prisoner proceeding pro se, brings this civil rights action under 42  
18 U.S.C. § 1983. Pending before the Court is Plaintiff's first amended complaint, ECF No. 13.  
19 Upon screening Plaintiff's original complaint, the Court determined that Plaintiff failed to allege  
20 any claims against a government employee or agency. See ECF No. 9, pg. 2. In Plaintiff's first  
21 amended complaint, Plaintiff newly alleges that "Sam Berri Towing [is] the contracted towing  
22 company for the Angel Camp/Murphy [sic] California, CHP [California Highway Patrol]  
23 department." ECF No. 13, pg. 5. Specifically, Plaintiff alleges that Sam Berri Towing and  
24 "Angel Camp/Murphy [sic] California, CHP department conspired with the CHP's towing  
25 officers, via forged towing documents that were modified by the towing officer." Id. The cities  
26 of Angel Camp and Murphys are located in Calaveras County.

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1           It is now apparent from Plaintiff's first amended complaint that the alleged civil  
2 rights violations took place in Calaveras County, which is within the boundaries of the Fresno  
3 division of the United States District Court for the Eastern District of California. See Local Rule  
4 120(b). Pursuant to Local Rule 120(d), a civil action which has not been commenced in the  
5 proper division of the Court may, on the Court's own motion, be transferred to the proper  
6 division. Because the Sacramento division of this Court is not the proper division, this action will  
7 be transferred to the Fresno division.

8           Accordingly, IT IS HEREBY ORDERED that this action is transferred to the  
9 United States District Court for the Eastern District of California sitting in Fresno.

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11 Dated: January 20, 2022

A handwritten signature in dark ink, appearing to read 'Dennis M. Cota', written over a horizontal line.

DENNIS M. COTA  
UNITED STATES MAGISTRATE JUDGE